

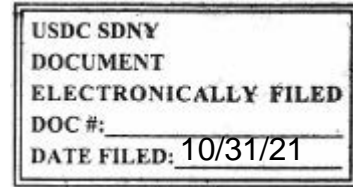
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

—v—

Ghislaine Maxwell,

Defendant.



20-CR-330 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

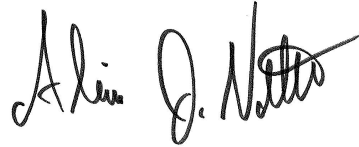
The Court is in receipt of the Defendant’s motion under Federal Rule of Evidence 412, Dkt. No. 378, and the Defendant’s motion *in limine* to exclude under Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), Dkt. No. 386. The issues raised in the two motions overlap significantly. The Court is required under Federal Rule of Evidence 412 to conduct an in camera hearing. Fed. R. Evid. 412 (“Before admitting evidence under this rule, the court must conduct an in camera hearing and give the victim and parties a right to attend and be heard. Unless the court orders otherwise, the motion, related materials, and the record of the hearing must remain under seal.”). In addition, the Court has determined it will conduct a *Daubert* hearing with respect to the Defendant’s motion under Federal Rule of Evidence 702. Because of the overlap in the substance of the motions, the Court will conduct the two proceedings back to back.

The Court previously set a tentative date for the Rule 412 Motion hearing as November 5, 2021. Dkt. No. 354. The Court is prepared to proceed with both hearings on that date. Alternatively, the proceedings could be held on either the afternoon of November 9 or the afternoon of November 10. The Government shall confer with its proposed expert regarding availability for the *Daubert* hearing as well as with alleged victims who wish to attend and be

heard at the Rule 412 Motion hearing. After doing so, the parties shall confer with each other as to availability. On or before November 2, 2021, the parties shall jointly file a letter with the Court indicating whether the parties request that the hearings be held on November 5, 9, or 10.

SO ORDERED.

Dated: October 31, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written over a horizontal line.

ALISON J. NATHAN
United States District Judge